

REMARKS

By this amendment, claims 1 and 4-7 have been amended, and claims 8-16 have been added. Thus, claims 1-16 are now active in the application. Reexamination and reconsideration of the application is respectfully requested.

The specification and abstract have been carefully reviewed and revised to correct grammatical and idiomatic errors in order to aid the Examiner in further consideration of the application. The amendments to the specification and abstract are incorporated in the attached substitute specification and abstract. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and Abstract by the current amendment. The attachment is captioned "**Version with markings to show changes made.**"

In items 1-3 on page 2 of the Office Action, claim 6 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for use of the phrase "the lower surface" in line 2 of claim 6. It is noted that item 3 of page 2 of the Office Action indicates that the phrase "the lower surface" is presented in line 2 of claim 7, but this is obviously a typographical error; the phrase "the lower surface" is found in line 2 of claim 6.

Accordingly, in order to obviate this rejection, claim 6 has been amended to change "the lower surface" to --a lower surface--.

Next, in items 4-7 on pages 2 and 3 of the Office Action, claims 1-6 were rejected under 35 U.S.C. 102(b) as being anticipated by Parvulescu et al. (U.S. 6,127,636); and claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Parvulescu et al. in view of Wermelinger (U.S. 4,405,842). These rejections are believed clearly inapplicable to the claims as presently presented, for the following reasons.

In item 5 on pages 2 and 3 of the Office Action, the Examiner took the position that the recited "cam section" of claim 1 is met by the two ratchet wheels 14, 16 of Parvulescu et al. and, accordingly, the switches 44, 46 of Parvulescu et al. constitute the claimed "plurality of switches that engage the cam section". However, it is noted that, in Parvulescu et al., only one switch 44 engages with the ratchet wheel 14, and only one switch 46 engages with the other ratchet wheel 16.

Claim 1 has now been amended to require the operating member 12 to have a cam member 12b provided with a protruding portion, and to include a plurality of switches (e.g. 20, 21) that engage the cam member. Clearly the Parvulescu et al. patent does not disclose or suggest the provision of a plurality of switches that engage a cam member, as now recited in claim 1, since each of cam members 14, 16 of Parvulescu et al. engage with only one of the switches 44, 46.

The Wermelinger patent was cited by the Examiner for teaching "a switch device having a knob 35 with the cam section 37 on an inner surface. However, this secondary reference provides no teaching or suggestion that would have obviated the above-discussed shortcomings of the Parvulescu et al. patent.

Accordingly, in view of the above-discussed difference, it is believed clear that the Parvulescu et al. patent does not anticipate the present independent claim 1. Furthermore, the difference is such that a person having ordinary skill in the art would clearly have not been motivated to modify the Parvulescu et al. arrangement or to make any combination of the references of record in such a manner as to result in or otherwise render obvious the present invention of claim 1. Therefore, it is respectfully submitted that claim 1, as well as claims 2-8 which depend therefrom, are clearly allowable over the prior art of record.

With exemplary reference to present Figs. 1 and 2, new independent claim 9 sets forth a switch device comprising: an operating member 12 having a user-operable member 12A and a cam section 12B fixed for rotation with the user-operable member 12A about a rotary axis, the cam section 12B being provided with a protruding portion 13; a plurality of switches 20, 21 that engage the cam section 12B and output electric ON/OFF states based on the operation of the operating member 12; and a detecting section 27 connected to the plurality of switches 20, 21 for detecting the positions of operation of the operating member 12 based on the electric ON/OFF states of the plurality of switches 20, 21.

In contrast to the present invention of claim 9, the Parvulescu et al. patent discloses a rotary switch having an operating member 10 with a user-operable member 12 and a cam section 14, 16, but does not include a cam section fixed for rotation with the user-operable member 12, as required by claim 9.

More specifically, it is noted that, in the rejection presented in item 5 on pages 2 and 3 of the Office Action, the Examiner had indicated that the two ratchet wheels 14, 16 constituted the claimed "cam section". However, neither of the ratchet wheels 14, 16 is fixed for rotation with the user-operable member 12. Rather, as described at column 2, lines 45-48 of the Parvulescu et al. specification, the user-operable member 12, the ratchet wheel 14 and the ratchet wheel 16 "are mounted on the shaft 18 for independent rotation relative to one another and for sliding movement along the shaft 18."

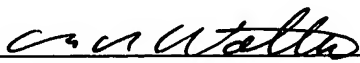
Thus, because of this clear distinctions between the present invention as recited in claim 9 and the Parvulescu et al. patent, it is apparent that claim 9 is not anticipated by the Parvulescu et al. patent. Furthermore, the difference is such that a person of ordinary skill in the art would not have been motivated to modify the Parvulescu et al. patent or to make any combination of the references of record in such a manner as to result in or otherwise render obvious the present invention of claim 9. Therefore, it is respectfully submitted that claim 9, as well as claims 10-16 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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